

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	
)	Case No. 16-41214-399
CHRISTAINIE EVELYN)	
WELLINGTON,)	Chapter 13
Debtor(s))	Conf.: May 11, 2016 @ 10:00 a.m.
)	Courtroom: Five North

FIRST AMENDED CHAPTER 13 PLAN

**PAYMENTS. Debtor is to pay to the Chapter 13 Trustee the sum of the following amounts:
(complete one of the following payment options)**

\$750.00 per month for 60 months.

\$_____ per month for _____ months, then \$_____ per month for _____
months, then \$_____ per month for _____ months.

A total of \$_____ through _____, _____, then \$_____ per month for _____ months
beginning with the payment due in _____, _____.

In addition, Debtor shall pay to the Trustee and the plan base shall be increased by the following:

- (1) Tax Refund. Debtor shall send any tax refund received during the pendency of the Chapter 13 case to the Trustee; however, Debtor may retain a portion of a tax refund to pay income taxes owed to any taxing authority for the same period as the refund. Debtor may also retain \$1,250 for single filers or \$1,500 for joint filers and refundable tax credits consisting of Earned Income Credit(EIC) and Additional Child Tax Credit, each year.
- (2) Employee Bonuses. Debtor shall send fifty percent of any employee bonus or other distribution paid or payable to Debtor during the term of the plan.
- (3) Additional Lump Sums. Debtor shall send additional lump sums(s) consisting of _____, if any, to be paid to the Trustee.

DISBURSEMENTS. Creditors shall be paid in the following order and in the following fashion. Unless stated otherwise, the Chapter 13 Trustee will make the payments to creditors. All disbursements by the Trustee to be made pro-rata by class, except per month disbursements described below. However, if there are funds available after payment of equal monthly payments in paragraph 5 and fees in paragraph 6, those funds shall be distributed again to those same paragraphs until paid in full before distributing to the next highest paragraphs:

1. **Trustee and Court Fees.** Pay Trustee a percentage fee as allowed by law and pay filing fee if the Court enters an order providing for filing fees to be paid in the Chapter 13 Plan.

2. **Executory Contract/Lease Arrearages** Trustee to cure pre-petition arrearage on any executory contract accepted in paragraphs 3(A or B) over the following period, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD
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3. Pay sub-paragraphs concurrently:

(A) **Post-petition real property lease payments.** Debtor assumes executory contract for real property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
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(B) **Post-petition personal property lease payments.** Debtor assumes executory contract for personal property with the following creditor(s) and proposes to maintain payments in accordance with terms of the original contract as follows:

CREDITOR NAME	MONTHLY PAYMENT	MONTHS REMAINING
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(C) **Continuing Debt Payments including post-petition mortgage payments on real estate other than Debtor's residence.** Maintain payments of the following continuing debt(s) in accordance with terms of the original contract with any arrearages owed at the time of filing to be cured in paragraph Five (A) below.

CREDITOR NAME	MONTHLY PAYMENT
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(D) **Post-petition mortgage payments on Debtor's residence.** Payments due post-filing on debt(s) secured by lien(s) on Debtor(s) residence to be at the monthly amount listed below (or as adjusted by creditor under terms of loan agreement) to:

CREDITOR NAME	MONTHLY PAYMENT	BY DEBTOR/TRUSTEE
Neighbors Credit Union	\$1,377.00	Debtor

(E) **DSO Claims in equal installments.** Pay any pre-petition domestic support obligation arrears (not provided for elsewhere in this Plan) in full in equal monthly installments over the life of the plan, estimated as:

CREDITOR NAME	TOTAL AMOUNT DUE	INTEREST RATE
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4. **Attorney Fees.** Pay Debtor's attorney \$1401.00 in equal monthly payments over 24 months. Any additional fees allowed by the Court shall be paid pursuant to paragraph 6 below.

5. Pay sub-paragraphs concurrently:

(A) **Pre-petition arrears on secured claims paid in paragraph 3.** Pay pre-petition arrearage on debts paid under paragraphs 3 (C) or (D) in equal monthly installments over the period set forth below and with the interest rate identified below, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE	CURE PERIOD	INTEREST RATE
Neighbors Credit Union	\$ 300.00	48 months	0.00%

(B) **Secured claims to be paid in full.** The following claims shall be paid in full in equal monthly payments over the period set forth below with 4.75% interest.

CREDITOR	EST BALANCE DUE	REPAY PERIOD	TOTAL w/ INTEREST
City and Village Tax Ofc.	\$ 750.00	56 months	\$ 841.00
Missouri Dept. of Rev.	1,100.00	56 months	1,234.00
Santander Cons. USA	28,809.00	56 months	32,320.00
United Consumer Fin. Svcs.	800.00	56 months	897.00

(C) **Secured claims subject to modification.** Pay all other secured claims the fair market value of the collateral, as of the date the petition was filed, in equal monthly payments over the period set forth below with 4.75% interest and with any balance of the debt to be paid as non-priority unsecured debt under paragraph 9(A), estimated as set forth below:

CREDITOR	BALANCE DUE	FMV	REPAY PERIOD	TOTAL w/ INTEREST
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(D) **Co-debtor guaranteed debt paid in equal monthly installments.** The following co-debtor guaranteed claims(s) to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in equal monthly installments over the period and with interest as identified below.

CREDITOR	EST BALANCE	TRUSTEE/CO-DEBTOR	PERIOD	INTEREST RATE
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(E) Pay any post-petition fees and costs as identified in a notice filed per Federal Rule of Bankruptcy Procedure 3002.1 as a supplement to an allowed claim or any other post-petition fees and costs which the Court allows and orders the Trustee to pay. Any such amounts shall be paid in equal monthly payments over the remainder of the plan duration and shall not receive interest.

6. Pay \$1,500.00 of Debtor's attorney's fees and any additional attorney fees allowed by the Court.

7. Pay the following sub-paragraphs concurrently:

(A) **Unsecured Co-debtor guaranteed claims.** The following unsecured co-debtor guaranteed debt to be paid by Trustee or by the co-debtor as noted below. If paid by Trustee, pay claim in full with interest rate as identified below.

CREDITOR NAME	EST TOTAL DUE	TRUSTEE/CO-DEBTOR	INTEREST RATE
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(B) **Assigned DSO Claims.** Domestic support obligation arrearages assigned to, or recoverable by, a governmental unit, to be paid a fixed amount with the balance to be owed by the Debtor(s) after completion of the Plan, pursuant to §§507(a)(1)(B) and 1322(a)(4). Regular payments that become due after filing shall be paid **directly** by Debtor(s).

CREDITOR	TOTAL DUE	FIXED AMOUNT
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8. **Priority Claims.** Pay the following priority claims allowed under 11 U.S.C. § 507 in full, estimated as follows:

CREDITOR NAME	TOTAL AMOUNT DUE
Missouri Dept. of Revenue	\$3,000.00

9. Pay the following sub-paragraphs concurrently:

(A) **General Unsecured Claims.** Pay non-priority, unsecured creditors. Estimated total owed: \$152,436.38. Amount required to be paid to non-priority unsecured creditors as determined by §1325(a)(4) hypothetical Chapter 7 liquidation calculation: \$0.00. Amount required to be paid to

non-priority unsecured creditors as determined by 1325(b) calculation: \$0.00. Debtor guarantees a minimum of \$0.00 will be paid to non-priority unsecured creditors.

(B) **Surrender of Collateral.** Debtor proposes to surrender the following collateral to the following creditor(s) with any deficiency paid as non-priority unsecured debt:

CREDITOR	COLLATERAL
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(C) **Rejected Executory Contracts/Leases.** Debtor rejects the following executory contract(s) with the following creditor(s). Any balance to be paid as non-priority unsecured debt:

CREDITOR	CONTRACT/LEASE
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10. Other:

11. All secured creditors shall retain the liens securing their claims until the earlier of the payment of the underlying debt determined under non-bankruptcy law or discharge under section 1328. However, the Debtor will request avoidance of non-purchase money liens secured by consumer goods as well as judicial liens which impair exemptions and said creditors will not retain their liens if the Court enters an order granting the Debtor's request to avoid the liens.

12. Any pledged credit union shares or certificates of deposit held by any bank shall be applied to the amount owed such Claimant.

13. Title to Debtor's property to re-vest in Debtor upon confirmation. Debtor is not to incur further credit or debt without the consent of the Court unless necessary for the protection of life, health or property and consent cannot be obtained readily. Within fourteen days of filing federal and state income tax returns, Debtor shall provide a copy of each return to the Chapter 13 Trustee.

14. Any post-petition claims filed and allowed under 11 U.S.C. § 1305 may be paid through the plan.

CREDITOR'S NOTICE: YOU MUST FILE A CLAIM IN ORDER TO PARTICIAPTE IN DISBURSEMENTS PROPOSED HEREIN. CLAIMS SHALL SHARE ONLY IN FUNDS DISBURSED AFTER THE CHAPTER 13 TRUSTEE RECEIVES THE CLAIM. IN COMPLIANCE WITH ORDER OF THE COURT, ABSENT A SPECIFIC ORDER OF THE COURT TO THE CONTRARY, THE CHAPTER 13 TRUSTEE, RATHER THAN THE DEBTOR, WILL MAKE ALL PRE-CONFIRMATION DISBURSEMENTS PURSUANT TO SECTION 1326(a). ALL CREDITORS ENTITLED TO PRE-CONFIRMATION DISBURSEMENTS, INCLUDING LEASE CREDITORS, MUST FILE A PROOF OF CLAIM TO BE ENTITLED TO RECEIVE SUCH PAYMENTS FROM THE CHAPTER 13 TRUSTEE. PURSUANT TO LOCAL RULE THE PROOF OF CLAIM SHALL CONTROL THE VALUATION OF COLLATERAL AND ANY VALUATION STATED IN THE PLAN SHALL NOT BE BINDING ON THE CREDITOR. THE TRUSTEE, IN HIS SOLE DISCRETION, MAY DETERMINE TO RESERVE FUNDS FOR PAYMENT TO ANY CREDITOR SECURED BY A MORTGAGE ON REAL ESTATE PENDING FILING OF A CLAIM.

DATE: March 25, 2016

DEBTOR:____/s/Christainie Evelyn Wellington____
CHRISTAINIE EVELYN WELLINGTON

BELOW MEDIAN DEBTORS ONLY

**AMOUNTS NECESSARY TO BE PAID TO GENERAL UNSECURED CREDITORS
PURSUANT TO 11 USC SECTION 1325(b) CALCULATED AS FOLLOWS:**

Current Monthly income: Form B22C line 11 \$ 4,789.16

MINUS

Received child support, foster
care or disability for child
(Form B22C line 7) \$ 0.00

Payroll deductions for payment of
loan from qualified retirement plan \$ 0.00

Child support paid \$ 0.00

Payroll & social security taxes \$ 239.87

Trustee fees at 10% \$ 125.27

Total of monthly payments from
paragraphs 3 and 5 of plan \$ 1,991.20

Insurance deducted from paycheck \$ 0.00

Other schedule J expenses \$ 3,428.00

Total of additional expenses \$ 5,784.34

Net Monthly disposable income \$ - 995.18

X 36 = Total required to be paid to unsecured debt \$ -0-

MINUS

Executory contract arrears from plan paragraph 2 \$ -0-

Priority debt \$ 3,000.00

Total to be paid to general unsecured debt \$ -0-

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Chapter 13 Plan was mailed by first class mail, postage pre-paid, to the following interested party(ies) on the 25th day of March, 2016.

John V. LaBarge, Jr.
Chapter 13 Trustee
P.O. Box 430908
St. Louis, MO 63143

Missouri Department of Revenue
General Counsels Office
P.O. Box 475
Mail Stop 2002
Jefferson City, MO 65105-0100

Internal Revenue Service
P.O. Box 7346
c/o Missouri Cases
Philadelphia, PA 19101-7346

ACS-U.S. Bank
P.O. Box 371834
Pittsburgh, PA 15250-7834

AFNI
1310 Martin Luther King Drive
P.O. Box 3517
Bloomington, IL 61702-3427

Anheuser-Busch Employees' Credit Union
American Eagle Credit Union
1001 Lynch Street
Saint Louis, MO 63118

AT&T
P.O. Box 5001
Carol Stream, IL 60197

Barnes Jewish West County Hospital
P.O. Box 952941
Saint Louis, MO 63195-2941

BJC Healthcare
P.O. Box 958410
Saint Louis, MO 63195-8410

Brentwood Pediatrics, P.C
1600 S. Brentwood , Ste. 100
Saint Louis, MO 63144-1301

Capital Management Services
726 Exchange Street, Ste. 700
Buffalo, NY 14210

Capital One
P.O. Box 5294
Carol Stream, IL 60197

Charter Communications
P.O. Box 790086
Saint Louis, MO 63179

City & Village Tax Office, LLC.
3 Hollenberg Court
Bridgeton, MO 63044

City of Ferguson, Missouri
Photo Enforcement Program
P.O. Box 22091
Tempe, AZ 85285-2091

City of St. Louis
Photo Enforcement Program
P.O. Box 790324
Saint Louis, MO 63179

City of St. Louis
Parking Violations Bureau
P.O. Box 78459
Saint Louis, MO 63178

Depaul HC PHY. Billing
P.O. Box 503913
Saint Louis, MO 63150-3913

Enhanced Recovery Company
8014 Bayberry Road
Jacksonville, FL 32256

First Premier Bank
3820 N Louise Ave.
Sioux Falls, SD 57107

Firstsource Advantage
7650 Magna Dr.
Belleville, IL 62223

GM Financial
P.O. Box 78143
Phoenix, AZ 85062-8143

JCC St. Louis
2 Milestone Campus Drive
Saint Louis, MO 63146

Laclede Gas
720 Olive Street
Drawer 2
Saint Louis, MO 63171

Linebarger Goggan Blair & Sampson
Attorneys At Law
P.O. Box 3856
Urbandale, IA 50323-3856

Linebarger Goggan Blair & Sampson
Attorney At Law
900 Arion Parkway, Ste. 104
San Antonio, TX 78216

MCA Management Company
Medical -Commercial Audit Inc.
P.O. Box 480
High Ridge, MO 63049

Medical Revenue Services
P.O. Box 938
Vero Beach, FL 32961

Medical Data Systems, Inc.
2001 9th Ave., Ste.312
Vero Beach, FL 32960

Mercy Hospital St. Louis
P.O. Box 504856
Saint Louis, MO 63150-4856

Neighbors Credit Union
P.O. Box 809002
Kansas City, MO 64180-9002

NELNET
3015 S. Parker Road, Ste. 400
Aurora, CO 80014

North County Emerg. Phys., LLP
75 Remittance Drive, Ste. 1151
Chicago, IL 60675-1151

PNC Bank, National Association
T7-UCHY-01-3
P.O. Box 2155
Rocky Mount, NC 27802-2155

Santander Consumer USA
P.O. Box 961245
Fort Worth, TX 76161

Social Security Administration
Great Lakes Program Service Center
600 West Madison Street
Chicago, IL 60661-2474

Specified Credit Association, Inc.
2388 Schuetz Road, Ste. A-100
Saint Louis, MO 63146

Sprint Nextel
P.O. Box 3326
Attn: Bankruptcy Dept.
Englewood, CO 80155-3326

SSM Healthcare
3232 West Royal Lane
Irving, TX 75063-3105

U.S. Bank Reserve Line
P.O. Box 5227
Cincinnati, OH 45201

UCB Collection
5620 Southwyck Blvd.
Toledo, OH 43614-1501

United Consumer Financial Services
P.O. Box 856290
Louisville, KY 40285-6290

United Credit & Collection
512 Madison St.
P.O. Box 1075
Saint Charles, MO 63301-2748

US Bank
P.O. Box 108
Saint Louis, MO 63166

Verizon Wireless
P.O. Box 26055
Minneapolis, MN 55426

Vital Recovery Services, Inc.
P.O. Box 923747
Norcross, GA 30010-3748

Washington University Physicians
P.O. Box 502432
Saint Louis, MO 63150-2432

Sworn and executed under penalty of perjury this 25th day of March, 2016 at Frontenac,
Missouri.

_____/s/Rochelle Stanton_____
ROCHELLE D. STANTON, MO Bar #49641
Attorney for Debtor, Fed.Bar #49641MO
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Frontenac, MO 63131
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